

GERRY LEE KRAMER,)
)
Plaintiff,)
)
vs.) Case No. 4:02CV01502 AGF
)
BRIDGETON POLICE DEPARTMENT,)
et al.,)
)
Defendants.)

This matter is before the Court on Michelle Mayer’s motion for reconsideration of this Court’s denial of her motion to intervene as a plaintiff. Although generally, doubts should be resolved in favor of a proposed intervenor, subsections (a) and (b) of Federal Rule of Civil Procedure 24, governing intervention of right and permissive intervention, respectively, both explicitly require that a motion to intervene be “timely.”

Whether a motion to intervene is timely is determined by considering all the circumstances of the case; factors that bear consideration include, the reason for the delay by the proposed intervenor in seeking intervention, how far the litigation has progressed before the motion to intervene was filed, and how much prejudice the delay in seeking intervention may cause parties in the suit if intervention is allowed. U.S. v. Union Elec. Co., 64 F.3d 1152, 1159 (8th Cir. 1995).

The Court previously concluded that Ms. Mayer's motion to intervene was not timely, and upon review of the file and the motion for reconsideration, the Court reaffirms this determination.

Accordingly,

IT IS HEREBY ORDERED that Michelle Mayer's motion for reconsideration of this Court's denial of her motion to intervene as a plaintiff is **DENIED**. [Doc. #122]



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 30th day of May, 2006.